



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09-625,710	07/25/2000	Alfred E. Keller	1856-00301	6545

31889 7590 09/18/2002

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EXAMINER

RUDNICK, DOUGLAS W

ART UNIT	PAPER NUMBER
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1764

11

DATE MAILED: 09/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/625,710

Applicant(s)

KELLER, ALFRED E.

Examiner

Douglas W Rudnick

Art Unit

1764

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 September 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: the addition of the sulfur condenser necessitates further consideration and searching.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 8-12, 14-17 and 21-28.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 8 and 9.

10. ☐ Other: \_\_\_\_\_

*Marian C. Knode*  
MARIAN C. KNODE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Alfred E. KELLER	§	GROUP ART UNIT: 1764
	§	
SERIAL NO.: 09/625,710	§	
	§	EXAMINER: Douglas W. Rudnick
FILED: July 25, 2000	§	
	§	
FOR: Process for Producing Syngas	§	
In A Short Contact Time	§	
Reactor Using Catalytic Partial	§	
Oxidation of Hydrogen Sulfide	§	
Hydrogen Sulfide	§	

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Atty. Dkt. No.: 1856-00301 (98/003)

Date: September 11, 2002

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §1.97, §1.98, applicant is providing herewith copies of the supplementary items listed on the attached U.S. Patent and Trademark Office Form PTO 1449. This information is supplemental to the Information Disclosure Statements and Forms PTO 1449 filed in the above-referenced case on April 4, 2001 and on August 1, 2002.

**Statement Under 37 C.F.R. § 1.97(d)**

Each item of information contained in this Second Supplementary Information Disclosure Statement and Form PTO 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this submission.

The submission of this Second Supplementary Information Disclosure Statement and Form PTO-1449 is not an admission that the art cited is "prior" with respect to the present invention, nor is it a representation that no better art exists. Applicants hereby reserve the right to swear behind or otherwise disprove any alleged "prior" nature of any art cited should the facts support and the situation warrant such an action. It is submitted that the art cited does not constitute a bar to the patentability of Applicants' invention under 35 U.S.C. § 102 or § 103.

81007.01/1856.00301

Because a final Office Action has been entered in this case, this Second Supplemental Information Disclosure Statement is being filed under 37 C.F.R. §1.97(d). Applicant hereby authorizes the Commissioner to charge Deposit Account 03-2769 of Conley, Rose & Tayon, P.C. the appropriate amount under 37 C.F.R. § 1.17(p) so that this submission may be considered.

Respectfully submitted,



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AGENT FOR APPLICANT